

Appeal/Waiver Request

Regarding Form 470 and Form 471

CC Docket No. 02-6

Applicant Name:

Escuela Superior Acreditada P.E.C.E.S

Entity Number: 16063121

Funding Year: 2016-17

CONTACT INFORMATION

Contact Person: Carlos Vazquez

Contact

Information:

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Humacao, PR 00741

APPLICANT INFORMATION

Applicant 471 Main Contact Name: Carlos Vazquez

Applicant Name: Escuela Superior Acreditada P.E.C.E.S

BEN: 16063121

This is a request for a Waiver/Appeal of the USAC designation for
Escuela Superior Acreditada P.E.C.E.S

Waiver/Appeal Request Detail:

471 Out of Window Certification Letter 6-1-2016 - Funding Year 2016-17

Date Submitted: June 1, 2016

Date Certified: N/A

Form 471 Information: N/A

Funding Request Number(s): N/A

TOTAL Dollar Amount for FRN: \$80,000.00

FCDL Date -N/A

Service Provider Name: Worldnet Communications

Service Provider Identification Number: 143015562

USAC Designation/ reason for appeal:
'Certified 470 /471 - Out of Window'

CC Docket No. 02-6

Rationale for this Request:

During the 2015-16 eRate filling window, I was tasked with implementing the new Category One (1) measures and filing a complete Category Two (2) 471 for the school, as well as confirming the changes.

Process that Lead to the Error

During the 2015-16 we Received our FDCL. Then after several months we began to contact our service provider Caribbean Network Inc. (SPIN # 143037241, for status on implementation. We first where told that we they were waiting for the equipment to arrive. Then another month Later we were told that they were waiting on site surveys from ISP.

Giving them time and assuming that this was part of the process we found out that they closed the business and never communicated to us. Since this was our first time with Erate and with the volume of work I could not find another Consultant to help us.

As a result, this Form 471 was not filed and certified on time. However Form 470 was filed MAY 28, 2016,

Circumstances to Consider –

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- **Form 470 was certified on May, 28 2016,**
 - Past FCC eRate rulings approving waivers of this nature
 - The school acted appropriately and in good faith, signing contract within SLD dates for this FRN request for 2015-2016.
 - Service Provider failed to contact us regarding closing the business.
 - Limited experience and Language barrier working with ERATE.
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- Operational SPIN change has been submitted for FY2015-2016
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Past FCC Ruling

FCC

DA 12-1469

September 14, 2012

The Order and Order on Reconsideration reviewed 39 requests from petitioners seeking review of decisions made by USAC under the eRate program. These petitioners were seeking waivers on the Form 471 filing window deadline.

The requests were granted for those schools within 14 days after the filing window deadline.

Justification was cited on past FCC Rules specifically File Nos. SLD-487009, et al., CC Docket No. 02-6, Order, 25 FCC Rcd 9256 (2010) (Academy of Math and Science Order) (finding special circumstances exist to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days after the FCC Form 471 filing window deadline or filed their Form 471 on time, but failed to timely file their certifications); Also, the following order or docket #: CC Docket NO. 02-6, Order, 26 FCC red 354.

This request is made on behalf of the Billed Entity for a Waiver/appeal to be granted. By granting this Waiver/Appeal, USAC could be directed to review [Escuela Superior Acreditada P.E.C.E.S](#) application for funding during the Funding Year 2016.

Your favorable consideration in this matter is greatly appreciated.

Please feel free to contact me at any time should you have questions.

Carlos Vazquez
787-240-6378